

KEARNEY CITY COUNCIL

AGENDA

City Council Chambers, 18 East 22nd Street

February 26, 2013

7:00 p.m.

I ROUTINE BUSINESS

1. Invocation by Pastor Donald Franks from Church of God Prophecy.
2. Pledge of Allegiance.
3. Announcement on Open Meetings Act.
4. Roll call.
5. Oral Communication:
 - Proclamation for Buffalo County Court Appointed Special Advocate (CASA).
 - Proclamation declaring March as Problem Gambling Awareness Month.

II UNFINISHED BUSINESS

None.

III PUBLIC HEARINGS

1. Conduct a public hearing on the Application for a Class I-101648 liquor license submitted by Sozo American Cuisine LLC, dba Sozo American Cuisine located at 110 South 2nd Avenue, consider the manager application for Travis Evans, and consider **Resolution No. 2013-22**.
2. Conduct a public hearing on the $\frac{1}{2}\%$ Sales Tax Capital Improvement Plan for the City of Kearney, Nebraska.
3. Conduct a public hearing on the adoption of the One & Six Year Street Improvement Plan and consider **Resolution No. 2013-23**.

IV CONSENT AGENDA *

1. Approve Minutes of Regular Meeting held February 12, 2013.
2. Approve the Claims.
3. Receive recommendations of Planning Commission and set March 12, 2013 at 7:00 p.m. as date and time for hearing on those applications where applicable.
4. Approve the request submitted by Stephanie Vavra to temporarily close 24th Street from 1st Avenue to Central Avenue, the parking lot located west of Cunningham's Journal, and the parking spaces on the east side of 1st Avenue from 23rd Street to 24th Street on June 29, 2013 from 9:00 a.m. until 5:00 p.m. for the 4th Annual HOPE Benefit.

5. Approve request submitted by the Shrine Bowl of Nebraska and the Kearney Visitors Bureau to conduct the 55th Annual Shrine Bowl Parade on June 1, 2013 beginning at 10:00 a.m. with the parade starting at Railroad Street and Central Avenue, north on Central Avenue to 24th Street, west on 24th Street to 1st Avenue, south on 1st Avenue to Railroad Street. The staging area will include the temporary closing of the following streets beginning at 6:00 a.m.: Central Avenue from Railroad Street to 25th Street, 1st Avenue from Railroad Street to 25th Street, 24th Street from Central Avenue to 1st Avenue, 3rd Avenue from Railroad Street to 20th Street, 4th Avenue from Railroad Street to 20th Street, Railroad Street from 5th Avenue to Avenue E, Avenues A, B, C and D from Railroad Street to 22nd Street.
6. Accept the report from the City Clerk on the insufficiency of objection/protest filed in connection with Ordinance No. 7783 creating Paving Improvement District No. 2013-961 for 57th Street from Avenue Q east to the east lot line of Lot 4 of Block One, Eastbrooke Twelfth Addition to the City of Kearney, Buffalo County, Nebraska.
7. Adopt **Resolution No. 2013-24** accepting the Certificate of Completion and Release submitted by American Pavement Solutions and approved by the Department of Aeronautics for AIP Project 3-31-0045-027; Terminal Apron Sealcoat, Miscellaneous Airfield Marking & Repairs at the Kearney Regional Airport.
8. Approve the Plans and Specifications for the construction of a new hangar located at the Kearney Regional Airport and set the bid opening date for April 2, 2013 at 2:00 p.m.
9. Approve the Plans and Specifications for the 2012 Part 6 Improvements; Phase 2 consisting of Paving Improvement District No. 2012-956 for 56th Street from 2nd Avenue west to 6th Avenue and set the bid opening date for March 19, 2013 at 2:00 p.m.
10. Adopt **Resolution No. 2013-25** approving Change Order No. 1 showing an increase in the amount of \$29,869.00 submitted by Midlands Contracting and approved by Miller & Associates to include Water District No. 2013-569 in 20th Street from Avenue O east to the east line of Lot 8 of Block 13, Whiteaker's Grove Addition to the 2012 Part 2 Improvements consisting of Water Extension District No. 2012-1 for 56th Street from the existing water main located ½ mile east of Antelope Avenue eastward approximately 5,446 feet to connect to the existing water main.
11. Adopt **Resolution No. 2013-26** approving the Developer Constructed Infrastructure Agreement for Oak Park Center between the City of Kearney and Sorensen Acres LLC, Co-Manager and Rodney Wiederspan, Co-Manager to construct the paving and storm sewer in the Roadway and Utility Easement from 56th Street southward.
12. Adopt **Resolution No. 2013-27** approving the following Agricultural Leases at the Kearney Regional Airport from January 1, 2013 until December 31, 2013: B & B Bendfeldt Farms, L.L.C. and Brenda Bendfeldt (239.8 irrigated acres); David Fleming (378.25 non-irrigated acres); David Fleming (276 irrigated acres); Gary Henderson (34 irrigated acres); Don Hendrickson (188 irrigated acres); Ron Hendrickson (75 dryland hay acres); Tom Larsen and Ted Larsen (61 under pivot irrigated acres and 64.5 non-irrigated acres); and Lee Potter (62 irrigated acres).
13. Adopt **Resolution No. 2013-28** approving the Addendum to Kearney Raceway Park Lease Agreement to rent an additional 6.5 acres to the previous Agreement.
14. Approve the application for a Special Designated License submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-59311 catering liquor license to dispense beer, wine and distilled spirits in the Ag Pavilion located at the Buffalo County Fairgrounds, 3807 Avenue N on March 15, 2013 from 12:00 p.m. until 12:00 a.m., March 16, 2013 from 10:00 a.m. until 12:00 a.m., and March 17, 2013 from 12:00 p.m. until 7:00 p.m. for a Bike Show.

15. Approve the application for a Special Designated License submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-59311 catering liquor license to dispense beer, wine and distilled spirits in the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on March 16, 2013 from 10:00 a.m. until 12:00 a.m. for a Monster Truck Show.
 16. Approve the application for a Special Designated License submitted by Night Life Concepts, Inc., dba Cunningham's Journal in connection with their Class CK-59311 catering liquor license to dispense beer, wine and distilled spirits in the Exposition Building located at the Buffalo County Fairgrounds, 3807 Avenue N on March 23, 2013 from 10:00 a.m. until 12:00 a.m. for a BBQ Event.
- * ***Any item listed on the Consent Agenda may, by the request of any single Council member, be considered as a separate item under the Regular Agenda Section of the Agenda.***

V CONSENT AGENDA ORDINANCES *

1. Approve **Ordinance No. 7785** selling a tract of land being part of the North Half of the Southeast Quarter, part of the North Half of the Southwest Quarter, part of Government Lot 1, part of Government Lot 2, part of Government Lot 3 and part of Government Lot 4, all located in Fractional Section 27, Township 9 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska to Coal Chute Park, LLC.

VI REGULAR AGENDA

1. Consider the Application for Reconstruction to Liquor License submitted by Apple Fun Center, Inc., dba Big Apple Fun Center located at 500 West 4th Street in connection with their Class C-24505 liquor license.
2. Consider **Ordinance No. 7786** amending Section 3-1306 "Alcoholic Beverages; Hours of Sale; New Year's Eve" of Article 13 "Alcoholic Beverages" of Chapter 3 "Business Regulations" of the Kearney City Code to allow for the selling and dispensing of alcoholic liquors between the hours of 7:00 a.m. on March 17 and 12:00 a.m. on March 18 when St. Patrick's Day falls on a Sunday.
3. Open Account Claims to NPPD - \$7,083.11.

VII REPORTS

VIII ADJOURN

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A current agenda is on file at the Office of the City Clerk at City Hall, 18 East 22nd Street, Kearney, Nebraska. For more information, call 233-3216 or visit our website at www.cityofkearney.org